



PATENT  
ATTORNEY DOCKET: 46884-5459

Drw \$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Tatsuya MATSUMURA et al.

Application No.: 10/571,996

Filed: March 15, 2006

For: X-RAY TUBE

)  
)  
)  
) Confirmation No.: 5583  
)  
) Group Art Unit: 2882  
)  
) Examiner: Mona M. Sanei  
)  
)

Commissioner for Patents  
U.S. Patent and Trademark Office  
**Customer Window, Mail Stop Amendment**  
Alexandria, VA 22314

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed after the events recited in § 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Action, a Notice of Allowance, or another action that closes prosecution in the above-referenced application. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00, as specified by § 1.17(p).

A Chinese Office Action dated October 24, 2008 that issued in a Chinese Patent Application and having documents cited therein is attached for the Examiner's consideration.

Except as discussed below, the cited documents are listed on the attached PTO Form 1449 and copies of any non-U.S. patent documents are also attached hereto.

12/22/2008 SHOHANKE 00000047 10571996

01 FC:1806

180.00 OP

While the Chinese Office Action dated October 24, 2008 additionally cites to US Patent No. 4,119,855, US Patent No. 4,632,871, US Patent No. 5,161,179 and US Patent No. 5,039,203, these documents are not listed on the attached PTO Form 1449 because they were previously cited in an Office Action by the Examiner in this application on November 28, 2007.

The relevance of the attached foreign language documents can be understood from the attached English-language abstracts, and/or from the citations of the documents in the attached Chinese Office Action dated October 24, 2008.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that any of the listed documents are material or constitute "Prior Art". If it should be determined that any of the listed documents do not constitute "Prior Art" under the United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over any of the listed documents, should any of the documents be applied against the claims of the present application.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including

any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573.

This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSIONS OF TIME** in accordance with 37 C.F.R. § 1.13(a)(3).

Respectfully submitted,

**DRINKER, BIDDLE & REATH LLP**

A handwritten signature in black ink, appearing to read "Paul A. Fournier", is written over a horizontal line.

By:

Paul A. Fournier

Registration No. 41,023

Dated: December 19, 2008

**CUSTOMER NO. 055694**

**DRINKER, BIDDLE & REATH LLP**

1500 K Street, N.W., Suite 1100

Washington, D.C. 20005-1209

Tel: (202) 842-8800

Fax: (202) 842-8465